

Appendix Thirteen

Manufactured Home Alterations (*MSBC 1350.3800*)

Manufactured Home Alterations Application Form

Alteration Submittals

Alteration Inspections

Minnesota Statutes 327.31 - 327.35: Manufactured Homes

Rehabilitation Inspection

GUIDE

A Step-By-Step Guide to
Rehabilitation Inspection



Trade &
**Economic
Development**
Business & Community
Development

MANUFACTURED HOME ALTERATIONS

(MSBC 1350.3800)

In general, alterations are changes that are proposed or made to a manufactured home which affect the original structural, mechanical, plumbing, electrical equipment or installations or fire safety of the home. Alterations are usually proposed by a consumer/owner or required by a Licensed Manufactured Home Dealer due to damage or previous owner non-compliance alterations.

Alterations to a manufactured home shall void the (State Code/HUD Code) certification construction seals on the home and the seals shall be removed and returned to the Minnesota Building Codes and Standards Division. Submitted with the construction seals shall be the following information; titled owner of the home, address home is located at, make/model names of home, serial number of the home, and date of manufacturer of home. Application for a replacement state construction seal may be made on a form furnished by the Building Codes and Standards Division after completion or corrections of the alterations have been verified by a Minnesota Building Official, (municipal or state).

Alterations that typically occur or are requested are; replacement of windows, replacement of siding materials, add a pitched shingled roof over a roof with rounded trusses and metal roofing, replacement of water lines; replacement of electrical panels and electrical equipment, and adding or removing interior walls of the manufactured home. *The above items are only common examples and alterations are not limited to items mentioned.*

Acts that do not constitute alterations would be conversion of listed fuel-burning appliances in accordance with terms of their listings, or replacement of equipment in like kind, or repairs with approved components or parts. However, a municipality may require a permit and inspection for all items.

New manufactured homes that are under the Minnesota warranties as required by Statutes 327B.02 and 327B.03 should not have alterations created by the consumer/owner. Consumer/owner alterations to a new manufactured home may void the manufacturers/dealers required warranty.

MANUFACTURED HOME
ALTERATIONS APPLICATION FORM

HOMEOWNER: _____

ADDRESS: _____

PARK NAME (if applicable): _____

***MAKE / MODEL OF HOME:** _____

***SERIAL NUMBER:** _____ ***DATE OF MANUFACTURE:** _____

(**OBTAINED FROM DATA PLATE OR COPY OF TITLE AS PROOF OF OWNERSHIP*)

DESCRIPTION OF PROPOSED ALTERATION: _____

ELEMENTS OF THE HOME AFFECTED BY THE ALTERATION (YES OR NO)

Structural _____ Mechanical _____ Plumbing _____

Insulation/vapor barrier _____ Other _____

SUBMITTALS REQUIRED (YES OR NO)

Dimensioned Floor Plan _____ Window/Door Schedule _____ Material Specifications _____

Fastening Schedule _____ Wiring Diagrams _____ Plumbing Diagrams _____

Insulation Specifications _____ Vapor Barrier Specifications _____ Truss Drawings _____

Structural Calculations _____ Furnace Specifications _____ Water Heater Specifications _____

Solid Fuel/Fireplace Specifications _____ Foundation/Footing Specifications _____

Gas Line Diagrams/Sizing Calculations _____

Other/Comments _____

APPLICATION GIVEN or SENT TO: _____ **DATE:** _____

DATE DOCUMENTED SUBMITTALS RECEIVED: _____

SUBMITTED TO (*Municipality or State of MN*): _____

SUBMITTALS REVIEWED BY: _____ **DATE:** _____

SUBMITTALS APPROVED YES or NO (*If NO Resubmit The Following Items*): _____

INSPECTIONS WILL BE REQUIRED FOR THE FOLLOWING (YES OR NO):

FOUNDATION AND FOOTINGS: _____

ROUGH-IN INSPECTION: *Structural* _____ *Mechanical* _____ *Plumbing* _____ *Electrical* _____

Other (describe) _____

INSULATION AND VAPOR BARRIER: _____

FINAL (*All Construction And Systems Included In The Alteration*): _____

SYSTEMS TESTING REQUIRED: *Drain/Waste /Vent Lines* _____ *Water Lines* _____

Gas Lines _____ *Electrical* _____

ALTERATION SUBMITTALS

Documentation is required to be submitted for review and approval prior to beginning an alteration to a manufactured home. Documentation shall be submitted to the municipal/local building official or to the Minnesota Building, Codes and Standards Division for review. Alterations to electrical systems or components require application for permit to, and inspection by a Minnesota Electrical Inspector.

Some items, depending on the nature of the alteration, that may be required for submittal are as follows:

1. Types of materials and their specifications. Include; span ratings, grade and species, installation instructions, fire ratings, and etc.
2. Procedure for installation of material; fastening type and spacing.
3. Engineering for trusses, window or door headers and frame ground support.
4. Method for extension of appliance flues and plumbing vents through roof if roof changes are proposed.
5. Window schedule indicating and verifying compliance for light (8%), vent (4%), and egress.
6. Plot plan including building location on property, property lines, easements and setbacks.
7. Dimensioned floor plan of existing home and proposed alteration or addition.
8. “R” or “U” values of home when originally constructed (*data plate*).
9. Owners name and site address
10. Contractors License number and name.
11. Serial number, model name/number, and date of manufacture of home (*photo-copy of title*).

Prior to submittal of documentation, contact the municipality/local building official of the Minnesota Building Codes and Standards Division to find out the type of documentation that will be required for proposed alteration.

ALTERATION INSPECTIONS

Inspections during the construction of approved alterations will be required.

Inspections required are:

Rough-in Inspection: Structural, Mechanical, Plumbing, Electrical.

Insulation and Vapor Barrier: If affected in alteration.

Testing: Drain line, water line, gas line, electrical.

Final: All construction and systems included in alteration.

Permit and inspection fees may be invoiced by the Department of Administration and a municipality enforcing the Minnesota State Building Code. As per MSBC 1302.0600 fees for inspection or plan review may be charged at \$45.00/hour (*minimum charge one-half hour*).

Upon final inspection and acceptance of the alteration construction a replacement State Construction Label may be ordered on the Minnesota Building Codes and Standards Division form. Photo-copies of permit and inspection reports shall be attached to replacement label application.

If after an alteration has been approved and completed, a dealer or a consumer wishes to sell or offer for sale a manufactured home with the roof alteration, copies of all documentation (approved documentation and inspection reports), must be provided to the future consumer. The future consumer must be made aware of the alterations that were made to the home and that the home is now in compliance.

[Minnesota Statutes 2001 Table of chapters](#)

CHAPTER 327

HOTELS, MOTELS, RESORTS, AND MANUFACTURED HOMES

Minnesota Statutes 327.31 - 327.35: Manufactured Homes

327.31	Definitions.
327.32	Code compliance.
327.33	Administration.
327.34	Penalties.
327.35	Violations; manufactured homes manufactured after June 14, 1976.
327.36	Application to local official controls.

MANUFACTURED HOME ALTERATIONS

(MSBC 1350.3800)

In general, alterations are changes that are proposed or made to a manufactured home which affect the original structural, mechanical, plumbing, electrical equipment or installations or fire safety of the home. Alterations are usually proposed by a consumer/owner or required by a Licensed Manufactured Home Dealer due to damage or previous owner non-compliance alterations.

Alterations to a manufactured home shall void the (State Code/HUD Code) certification construction seals on the home and the seals shall be removed and returned to the Minnesota Building Codes and Standards Division. Submitted with the construction seals shall be the following information; titled owner of the home, address home is located at, make/model names of home, serial number of the home, and date of manufacturer of home. Application for a replacement state construction seal may be made on a form furnished by the Building Codes and Standards Division after completion or corrections of the alterations have been verified by a Minnesota Building Official, (municipal or state).

Alterations that typically occur or are requested are; replacement of windows, replacement of siding materials, add a pitched shingled roof over a roof with rounded trusses and metal roofing, replacement of water lines; replacement of electrical panels and electrical equipment, and adding or removing interior walls of the manufactured home. *The above items are only common examples and alterations are not limited to items mentioned.*

Acts that do not constitute alterations would be conversion of listed fuel-burning appliances in accordance with terms of their listings, or replacement of equipment in like kind, or repairs with approved components or parts. However, a municipality may require a permit and inspection for all items.

New manufactured homes that are under the Minnesota warranties as required by Statutes 327B.02 and 327B.03 should not have alterations created by the consumer/owner. Consumer/owner alterations to a new manufactured home may void the manufacturers/dealers required warranty.

MANUFACTURED HOME
ALTERATIONS APPLICATION FORM

HOMEOWNER: _____

ADDRESS: _____

PARK NAME (if applicable): _____

***MAKE / MODEL OF HOME:** _____

***SERIAL NUMBER:** _____ ***DATE OF MANUFACTURE:** _____

(**OBTAINED FROM DATA PLATE OR COPY OF TITLE AS PROOF OF OWNERSHIP*)

DESCRIPTION OF PROPOSED ALTERATION: _____

ELEMENTS OF THE HOME AFFECTED BY THE ALTERATION (YES OR NO)

Structural _____ Mechanical _____ Plumbing _____

Insulation/vapor barrier _____ Other _____

SUBMITTALS REQUIRED (YES OR NO)

Dimensioned Floor Plan _____ Window/Door Schedule _____ Material Specifications _____

Fastening Schedule _____ Wiring Diagrams _____ Plumbing Diagrams _____

Insulation Specifications _____ Vapor Barrier Specifications _____ Truss Drawings _____

Structural Calculations _____ Furnace Specifications _____ Water Heater Specifications _____

Solid Fuel/Fireplace Specifications _____ Foundation/Footing Specifications _____

Gas Line Diagrams/Sizing Calculations _____

Other/Comments _____

APPLICATION GIVEN or SENT TO: _____ **DATE:** _____

DATE DOCUMENTED SUBMITTALS RECEIVED: _____

SUBMITTED TO (*Municipality or State of MN*): _____

SUBMITTALS REVIEWED BY: _____ **DATE:** _____

SUBMITTALS APPROVED YES or NO (*If NO Resubmit The Following Items*): _____

INSPECTIONS WILL BE REQUIRED FOR THE FOLLOWING (YES OR NO):

FOUNDATION AND FOOTINGS: _____

ROUGH-IN INSPECTION: *Structural* _____ *Mechanical* _____ *Plumbing* _____ *Electrical* _____

Other (describe) _____

INSULATION AND VAPOR BARRIER: _____

FINAL (*All Construction And Systems Included In The Alteration*): _____

SYSTEMS TESTING REQUIRED: *Drain/Waste /Vent Lines* _____ *Water Lines* _____

Gas Lines _____ *Electrical* _____

ALTERATION SUBMITTALS

Documentation is required to be submitted for review and approval prior to beginning an alteration to a manufactured home. Documentation shall be submitted to the municipal/local building official or to the Minnesota Building, Codes and Standards Division for review. Alterations to electrical systems or components require application for permit to, and inspection by a Minnesota Electrical Inspector.

Some items, depending on the nature of the alteration, that may be required for submittal are as follows:

1. Types of materials and their specifications. Include; span ratings, grade and species, installation instructions, fire ratings, and etc.
2. Procedure for installation of material; fastening type and spacing.
3. Engineering for trusses, window or door headers and frame ground support.
4. Method for extension of appliance flues and plumbing vents through roof if roof changes are proposed.
5. Window schedule indicating and verifying compliance for light (8%), vent (4%), and egress.
6. Plot plan including building location on property, property lines, easements and setbacks.
7. Dimensioned floor plan of existing home and proposed alteration or addition.
8. “R” or “U” values of home when originally constructed (*data plate*).
9. Owners name and site address
10. Contractors License number and name.
11. Serial number, model name/number, and date of manufacture of home (*photo-copy of title*).

Prior to submittal of documentation, contact the municipality/local building official of the Minnesota Building Codes and Standards Division to find out the type of documentation that will be required for proposed alteration.

ALTERATION INSPECTIONS

Inspections during the construction of approved alterations will be required.

Inspections required are:

Rough-in Inspection: Structural, Mechanical, Plumbing, Electrical.

Insulation and Vapor Barrier: If affected in alteration.

Testing: Drain line, water line, gas line, electrical.

Final: All construction and systems included in alteration.

Permit and inspection fees may be invoiced by the Department of Administration and a municipality enforcing the Minnesota State Building Code. As per MSBC 1302.0600 fees for inspection or plan review may be charged at \$45.00/hour (*minimum charge one-half hour*).

Upon final inspection and acceptance of the alteration construction a replacement State Construction Label may be ordered on the Minnesota Building Codes and Standards Division form. Photo-copies of permit and inspection reports shall be attached to replacement label application.

If after an alteration has been approved and completed, a dealer or a consumer wishes to sell or offer for sale a manufactured home with the roof alteration, copies of all documentation (approved documentation and inspection reports), must be provided to the future consumer. The future consumer must be made aware of the alterations that were made to the home and that the home is now in compliance.

327.31 Definitions.

Subdivision 1. **Terms.** Unless clearly indicated otherwise by the context, the terms defined by this section have the meanings given them.

Subd. 2. **Authorized representative.** "Authorized representative" means any person, firm or corporation, or employee thereof, approved or hired by the commissioner to perform inspection services.

Subd. 3. **Manufactured Home Building Code.** "Manufactured Home Building Code" means, for manufactured homes manufactured after July 1, 1972, and prior to June 15, 1976, the standards code promulgated by the American National Standards Institute and identified as ANSI A119.1, including all revisions thereof in effect on May 21, 1971, or the provisions of the National Fire Protection Association and identified as NFPA 501B, and further revisions adopted by the commissioner.

"Manufactured Home Building Code" means, for manufactured homes constructed after June 14, 1976, the manufactured home construction and safety standards promulgated by the United States Department of Housing and Urban Development which are in effect at the time of the manufactured home's manufacture.

Subd. 4. **Commissioner.** "Commissioner" means the commissioner of administration.

Subd. 5. **Dealer.** "Dealer" means any person engaged in the sale, leasing, or distribution of a manufactured home primarily to persons who purchase or lease for other than resale.

Subd. 6. **Manufactured home.** "Manufactured home" means a structure, transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standards established under this chapter.

Subd. 7. **Person.** "Person" means a person, partnership, corporation or other legal entity.

Subd. 8. **Seal.** "Seal" means a device or insignia issued by the commissioner to be displayed on the manufactured home to evidence compliance with the Manufactured Home Building Code.

Subd. 9. **Support system.** "Support system" means any foundation system or other structural method used for the

purpose of supporting a manufactured home at the site of occupancy.

Subd. 10. **Anchoring system.** "Anchoring system" means any method used for the purpose of securing the manufactured home to a foundation system or the ground.

Subd. 11. **Manufactured home installer.** "Manufactured home installer" means any person, firm, or corporation that installs or repairs a manufactured home for others at the site of occupancy.

Subd. 12. **Installation seal.** "Installation seal" means a device or insignia issued by the commissioner to a manufactured home installer to be displayed on the manufactured home to evidence compliance with the commissioner's rules pertaining to manufactured home installations.

Subd. 13. **Label.** "Label" means the approved form of certification required by the secretary or its agents to be affixed to each transportable section of each manufactured home manufactured for sale, after June 14, 1976, to a purchaser in the United States.

Subd. 14. **Manufacturer.** "Manufacturer" means any person engaged in manufacturing or assembling manufactured homes, including any person engaged in importing manufactured homes for sale.

Subd. 15. **Purchaser.** "Purchaser" means the first person purchasing a manufactured home in good faith for purposes other than resale.

Subd. 16. **Distributor.** "Distributor" means any person engaged in the sale and distribution of manufactured homes for resale.

Subd. 17. **Installation.** "Installation" of a manufactured home means assembly, at the site of occupancy, of all portions of a manufactured home, connection of the manufactured home to existing utility connections and installation of support and/or anchoring systems.

Subd. 18. **Secretary.** "Secretary" means the secretary of the United States Department of Housing and Urban Development or the head of any successor agency with responsibility for enforcement of federal laws relating to manufactured homes.

Subd. 19. **Manufactured home accessory structure.** "Manufactured home accessory structure" means a factory built building or structure which is an addition or supplement to a manufactured home and, when installed, becomes a part of the manufactured home.

Subd. 20. **Foundation system.** "Foundation system" means a permanent foundation constructed in conformance with the State Building Code.

HIST: 1971 c 409 s 1; 1973 c 370 s 1; 1974 c 273 s 1,2; 1981 c 365 s 1; 1993 c 9 s 5

Copyright 2001 by the Office of Revisor of Statutes, State of Minnesota.

327.32 Code compliance.

Subdivision 1. **Requirement.** No person shall sell, or offer for sale, in this state, any manufactured home manufactured after July 1, 1972, manufacture any manufactured home in this state or park any manufactured home manufactured after July 1, 1972, in any manufactured home park in this state unless the manufactured home complies with the Manufactured Home Building Code and:

(a) Bears a seal issued by the commissioner, and is, whenever possible, accompanied by a certificate by the manufacturer or dealer, both evidencing that it complies with the Manufactured Home Building Code; or

(b) If manufactured after June 14, 1976, bears a label as required by the secretary.

Subd. 2. **Seals.** The commissioner shall issue seals for any manufactured home manufactured after July 1, 1972, and prior to June 15, 1976, to any person upon application supported by evidence the commissioner deems necessary to establish that the seals will be affixed only to manufactured homes which comply with the Manufactured Home Building Code.

Subd. 3. **Alterations.** No person shall alter any manufactured home to which a seal or label has been affixed if the alteration causes the manufactured home to be in violation of the Manufactured Home Building Code. The commissioner may make rules regarding alterations and permits therefor.

Subd. 4. **Exception.** Notwithstanding the provisions of subdivision 1, a manufactured home dwelling unit bearing a label issued by the secretary shall not be required to bear a seal of this state. Upon a showing that another state provides for the sealing of manufactured homes manufactured after July 1, 1972, and prior to June 15, 1976, upon compliance with standards which are at least equal to those provided in the Manufactured Home Building Code, the commissioner shall, by rule, provide that a seal affixed under the authority of that state has the same effect as a seal affixed under authority of this state, and thereafter any manufactured home which bears the seal of that state shall not be required to bear the seal of this state as provided in subdivision 1. The commissioner may make any rule contingent upon the other state granting reciprocal effect to seals affixed under authority of this state.

Subd. 5. **Effect of compliance.** No manufactured home which bears a seal or label as provided in this section shall be required by any agency or political subdivision of this state to comply with any other building, plumbing, heating, or electrical code or any construction standards other than the Manufactured Home Building Code nor be subject to any other state or local building inspection, except as the commissioner shall, by rule, provide in the case of alterations, manufactured home accessory structures and installations, or except as otherwise provided by federal or state law. No manufactured home installation or

manufactured home accessory structure shall be required by any agency or political subdivision of this state to comply with any installation standards other than those adopted and promulgated by the commissioner. Nothing in this section shall be construed to inhibit the application of zoning, subdivision, architectural, or esthetic requirements pursuant to chapter 462.

Subd. 6. **Prohibition.** No person shall install any manufactured home or manufactured home accessory structure in violation of any rule promulgated by the commissioner. The commissioner shall issue installation seals to any manufactured home installer upon application supported by evidence the commissioner deems necessary to establish that the seals will be affixed only to those manufactured homes where the installation complies with the commissioner's rules. No person shall install a manufactured home in a manufactured home park as defined in section 327.14, subdivision 3, which is located within a governmental subdivision which has enacted an ordinance requiring that manufactured homes within its jurisdiction be secured by an anchoring system, unless the manufactured home is secured by an anchoring system which complies with the commissioner's rules.

Subd. 7. **Enforcement.** All jurisdictions enforcing the State Building Code, in accordance with sections 16B.59 to 16B.73, shall undertake or provide for the administration and enforcement of the manufactured home installation rules promulgated by the commissioner.

Subd. 8. **Evidence of compliance.** Each manufacturer, distributor, and dealer shall establish and maintain records, make reports, and provide information as the commissioner or the secretary may reasonably require to be able to determine whether the manufacturer, distributor, or dealer has acted or is acting in compliance with sections [327.31](#) to [327.35](#), and shall, upon request of a person duly designated by the commissioner or the secretary, permit that person to inspect appropriate books, papers, records, and documents relevant to determining whether that manufacturer, distributor, or dealer has acted or is acting in compliance with sections [327.31](#) to [327.35](#), and the National Manufactured Home Construction and Safety Standards Act of 1974, United States Code, title 42, section 5401, et seq., as amended, or other applicable federal or state law.

HIST: 1971 c 409 s 2; Ex1971 c 48 s 27; 1974 c 273 s 3,4; 1981 c 365 s 2; 1984 c 544 s 89; 1994 c 465 art 1 s 43

Copyright 2001 by the Office of Revisor of Statutes, State of Minnesota.

327.33 Administration.

Subdivision 1. **Inspections.** The commissioner shall, through the department's inspectors or through a designated recognized inspection service acting as authorized representative of the commissioner perform sufficient inspections of manufacturing premises and manufactured homes to ensure compliance with sections [327.31](#) to [327.35](#). The commissioner shall have the exclusive right to conduct inspections, except for the inspections conducted or authorized by the secretary.

Subd. 2. **Fees.** The commissioner shall by rule establish reasonable fees for seals, installation seals and inspections which are sufficient to cover all costs incurred in the administration of sections [327.31](#) to [327.35](#). The commissioner shall also establish by rule a monitoring inspection fee in an amount that will comply with the secretary's fee distribution program. This monitoring inspection fee shall be an amount paid by the manufacturer for each manufactured home produced in Minnesota. The monitoring inspection fee shall be paid by the manufacturer to the secretary. The rules of the fee distribution program require the secretary to distribute the fees collected from all manufactured home manufacturers among states approved and conditionally approved based on the number of new manufactured homes whose first location after leaving the manufacturer is on the premises of a distributor, dealer or purchaser in that state. All money collected by the commissioner through fees prescribed by sections [327.31](#) to [327.36](#) shall be deposited in the state government special revenue fund and is appropriated to the commissioner for the purpose of administering and enforcing the Manufactured Home Building Code under sections [327.31](#) to [327.36](#).

Subd. 3. **Administration and enforcement rules.** The commissioner may adopt other rules as may be necessary to administer and enforce sections [327.31](#) to [327.35](#). The rules shall, to the extent practicable, be uniform with those adopted by other states. All rules shall be adopted in the manner prescribed by sections 14.001 to 14.69.

Subd. 4. **Installation rules.** The commissioner shall adopt rules governing the installation of manufactured homes, and shall include them in the State Building Code. The rules may include a list of specific safety items to be inspected at the time of installation.

Subd. 5. **Accessory structures rules.** The commissioner shall adopt rules governing the construction and installation of manufactured home accessory structures including, but not limited to, rules relating to the certification of prefabricated manufactured home accessory structures. Upon showing that another state provides for certification of prefabricated manufactured home accessory structures manufactured in compliance with standards at least equal to those established by the commissioner, the commissioner

may by rule provide that any structure bearing certification affixed under the authority of that state shall not be required to bear the certification of this state.

Subd. 6. **Authorization as agency.** The commissioner shall apply to the secretary for approval of the commissioner as the administrative agency for the regulation of manufactured homes under the rules of the secretary. The commissioner may make rules for the administration and enforcement of department responsibilities as a state administrative agency including, but not limited to, rules for the handling of citizen's complaints. All money received for services provided by the commissioner or the department's authorized agents as a state administrative agency shall be deposited in the general fund. The commissioner is charged with the adoption, administration, and enforcement of the Manufactured Home Construction and Safety Standards, consistent with rules and regulations promulgated by the United States Department of Housing and Urban Development. The commissioner may adopt the rules, codes, and standards necessary to enforce the standards promulgated under this section. The commissioner is authorized to conduct hearings and presentations of views consistent with regulations adopted by the United States Department of Housing and Urban Development and to adopt rules in order to carry out this function.

Subd. 7. **Employees.** The commissioner may appoint such employees within the department of administration as deemed necessary for the administration of sections [327.31](#) to [327.35](#).

HIST: 1971 c 409 s 3; 1974 c 273 s 5; 1981 c 365 s 3; 1982 c 424 s 130; 1985 c 248 s 70; 1986 c 444; 1987 c 384 art 2 s 1; 1990 c 422 s 10; 1994 c 465 art 1 s 44; 1997 c 202 art 2 s 43

Copyright 2001 by the Office of Revisor of Statutes, State of Minnesota.

327.34 Penalties.

Subdivision 1. **Generally.** It shall be a misdemeanor for any person,

(a) to sell, lease, or offer to sell or lease, any manufactured home manufactured after July 1, 1972 which does not comply with the Manufactured Home Building Code or which does not bear a seal or label as required by sections [327.31](#) to 327.34, unless the action is subject to the provisions of section [327.35](#);

(b) to affix a seal or label, or cause a seal or label to be affixed, to any manufactured home which does not comply with the Manufactured Home Building Code unless the action is subject to the provisions of section [327.35](#);

(c) to alter a manufactured home manufactured after July 1, 1972, in a manner prohibited by sections [327.31](#) to 327.34;

(d) to fail to correct a Manufactured Home Building Code violation in a manufactured home manufactured after July 1, 1972, which is owned, manufactured, or sold by that person, within 40 days of being ordered to do so in writing by an authorized representative of the commissioner, unless the correction is subject to the provisions of section [327.35](#); or

(e) to interfere with, obstruct, or hinder any authorized representative of the commissioner in the performance of duties relating to manufactured homes manufactured after July 1, 1972, and prior to June 15, 1976.

Subd. 2. Repealed, 1981 c 365 s 11

Subd. 3. **Removal of seals.** Manufactured home seals remain the property of the department of administration and may be removed by the commissioner from any manufactured home which is in violation of the Manufactured Home Building Code.

Subd. 3a. **Failure to comply with installation rules.** No person may install a manufactured home or manufactured home accessory structure at a site of occupancy which does not comply with the rules of the commissioner or the laws of this state relating to manufactured home installation or manufactured home accessory structures. A violation of this subdivision is a misdemeanor.

Subd. 4. **Failure to affix installation seal.** It shall be a misdemeanor for any manufactured home installer to install any manufactured home at the site of occupancy without affixing installation seals to the manufactured home immediately upon completion of installation.

HIST: 1971 c 409 s 4; 1974 c 273 s 6-8; 1981 c 365 s 4-7; 1986 c 444; 1994 c 465 art 1 s 45

Copyright 2001 by the Office of Revisor of Statutes, State of Minnesota.

327.35 Violations; manufactured homes manufactured after June 14, 1976.

Subdivision 1. **Civil penalty.** Any person who violates any provision of this section is liable to the state of Minnesota for a civil penalty of not to exceed \$1,000 for each offense. Each violation involving a separate manufactured home or involving a separate failure or refusal to allow or perform any act required by this section constitutes a separate offense, except that the maximum civil penalties for any related series of violations occurring within one year from the date of the first violation may not exceed \$1,000,000.

Subd. 2. **Willful violations.** Any individual or a director, officer, or agent of a corporation who knowingly and willfully violates any provision of this section in a manner which threatens the health or safety of any purchaser shall be fined not more than \$3,000 or imprisoned not more than one year, or both.

Subd. 3. **General prohibition.** No person shall manufacture for sale, lease, sell, offer for sale or lease, or introduce or deliver into the state of Minnesota any manufactured home manufactured after June 14, 1976, which does not comply with the manufactured home construction and safety standards promulgated by the secretary. This subdivision does not apply:

(a) To any sale or offer for sale made after the first purchase of a manufactured home in good faith for purposes other than resale;

(b) To any person who establishes that there was no reason to know in the exercise of due care that a manufactured home is not in conformity with applicable federal manufactured home construction and safety standards;

(c) To any person, who prior to first purchase, holds a certificate issued by the manufacturer or importer of the manufactured home certifying that the manufactured home conforms to all applicable federal manufactured home construction and safety standards, unless the person knows that the manufactured home does not conform; or

(d) To any manufactured home intended solely for export, and so labeled or tagged on the manufactured home itself and on the outside of the container, if any, in which it is to be exported.

Subd. 4. **Access for information gathering.** No person shall fail or refuse to permit the commissioner or an authorized agent access at any reasonable time to or the copying of records, or fail to make reports available or provide information, or fail or refuse to permit reasonable entry or inspection at any reasonable time of any manufactured home manufactured after June 14, 1976 or reasonable inspection of any related records pertaining to the manufactured home.

Subd. 5. **Notice of defects.** No manufacturer, dealer, or distributor shall fail to notify the purchaser of any manufactured home manufactured after June 14, 1976, of any defect in the manufactured home which the manufacturer, dealer, or distributor determines, in good faith, constitutes a violation of any federal manufactured home construction and safety standard or constitutes an imminent safety hazard to the purchaser of the manufactured home, within a reasonable time after the manufacturer, dealer, or distributor discovers the defect.

Subd. 6. **Compliance with final order.** No person shall fail to comply with a final order issued under the requirements of the federal Manufactured Home Construction and Safety Standards Act of 1974, United States Code, title 42, section 5401, et seq., as amended.

Subd. 7. **Issuance of labels.** No person shall fail to issue a label if required to do so under the rules adopted by and pursuant to the federal Manufactured Home Construction and Safety Standards Act of 1974, United States Code, title 42, section 5401, et seq., as amended. No person shall issue a label to the effect that a manufactured home conforms to all applicable federal manufactured home construction and safety standards if that person in the exercise of due care has reason to know that the labeling is false or misleading in any material respect.

HIST: 1981 c 365 s 8; 1984 c 628 art 3 s 11; 1986 c 444

Copyright 2001 by the Office of Revisor of Statutes, State of Minnesota.

327.36 Application to local official controls.

For purposes of local land use controls adopted before August 1, 1981, pursuant to chapters 462, 394, and 366 or special law, mobile homes shall be defined to include the term "manufactured homes" as used in sections [327.31](#) to [327.34](#), [327.35](#) and this section.

HIST: 1981 c 365 s 10

Copyright 2001 by the Office of Revisor of Statutes, State of Minnesota.

